



## Austin City Council MINUTES

For AUGUST 2, 1984 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### City Council

Ron Mullen  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Roger Duncan  
Sally Shipman  
Mark E. Spaeth  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

### Memorandum To:

Mayor Mullen called to order the meeting of the Council, noting the presence of all Councilmembers.

#### MINUTES APPROVED

The Council, on Councilmember Rose's motion, Mayor Mullen's second, approved the minutes for the Regular Meeting of July 12, 1984 and Special Meeting of July 12, 1984. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy were out of the room.)

#### MEDICAL LIFE SUPPORT

Mr. John A. Noyes appeared before Council to request establishing a "Medical Life Support" electrical rate for those Austin citizens requiring life support electrical services. Mayor Mullen said this idea should be investigated and City Manager Carrasco said he would like to work on alternate programs and financial assistance.

#### STRATFORD DRIVE

Mr. Jonathan L. Markley, Stratford Drive Neighborhood Association, appeared before Council to discuss additional protections for the Stratford Drive Neighborhood Area. Mayor Mullen suggested a public hearing be set for September 6, 1984 at 2:00 p.m.

Incorporated with this request was an item from Councilmembers Duncan and Shipman to discuss extending

**STRATFORD DRIVE - (Continued)**

amendments to the Lake Austin Watershed Ordinance and the Lake Austin Shoreline Ordinance to include the South Shore to Town Lake from Tom Miller Dam to Zilker Park.

**Motion**

The Council, on Councilmember Duncan's motion, Councilmember Spaeth's second, set a public hearing for September 6, 1984 at 2:00 p.m. to discuss extending amendments to the Lake Austin Watershed Ordinance and the Lake Austin Shoreline Ordinance to include the South Shore to Town Lake from Tom Miller Dam to Zilker Park. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy were out of the room.)

Mr. Rick Hardin, Judge Jack Pope, Mr. Harold Lawrence, Mr. Eugene McKee, Mr. Jon Washam, Ms. Alisim Clark, Ms Verna Mae Morrison and Ms. Linda Washam had also requested to speak on the subject of Stratford Drive but did not do so when the hearing was set.

**CONSENT ORDINANCES**

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

**Operating Budget Amendments**

- a. Appropriating \$1,943,749.00 from the Water and Wastewater Utility Ending Balance, to meet construction, planning and system management requirements, and meet unbudgeted expenditures which the utility is unable to absorb in its Operating Budget.
- b. Appropriating \$37,515.00 from the Building Inspection Fund ending balance to establish a modular building manufacturing site inspection program.

**Aviation Ordinance**

Amended the Aviation Ordinance permitting any FAA-imposed penalties resulting from a tenant's violation of the Master Security Program to be assessed against that tenant.

**Capital Improvements Program**

Declared the necessity for and ordered improvements to Jollyville Road, Phase 1, consisting of 1 unit covering approximately 29 blocks.  
CAPITAL IMPROVEMENTS PROGRAM No. 84/62-14.

### Modular Building Inspection Fee

Amended Ordinance Nos. 820923-N and 830421-N setting a fee for modular building manufacturing site inspections performed by the City Building Inspection Department.

## Zoning Ordinances

Amended Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

- a. DAVIS W. PETRICK 7701 South Congress From Interim "AA" 1st H&A  
By Marvin Fatter to "C" 1st H&A  
C14-84-124 EMERGENCY PASSAGE OF ORDINANCE

(6-0 Vote, Mayor Mullen abstained.)

- |    |   |   |  |
|----|---|---|--|
| b. | CFC/HARDIN JOINT<br>VENTURE<br>By W. M. Faust<br>C14-83-178 | 8600-8800 Blocks<br>Pleasant Lane, also<br>bounded by Cameron<br>Road & Dessau Lane | From Interim "AA" 1st H&A<br>to "DL" & "A" 1st H&A |
|----|---|---|--|

- c. WILLIAMSON CREEK JOINT VENTURE  
By George Yonge  
C14r-83-081
- Rear of 5200-5400  
Nuckols Crossing Road,  
proposed ext. of  
Stassney Lane &  
proposed Possum Hollow  
Drive
- From Interim "AA" 1st H&A  
to "A-2" 1st H&A

(6-0 Vote Councilmember Rose abstained.)

- d. M. D. THOMSON, ET AL 1000-1010 Banister From "A" 1st H&A to  
By Mauro, Sarrett Lane & 3708-3818 "BB" 1st H&A  
& Wendler Garden Villa Lane FIRST READING ONLY  
C14-83-073

(4-3 Vote, Councilmembers Duncan, Rose and Shipman voted NO)

- e. AUSTIN CENTER NORTH, Rear of 8222-8300 From Interim "A" 1st H&A  
LTD. & NEWHOUSE PARK, N. Lamar Boulevard to "C" & "B" 1st H&A  
LTD.  
By Donald E. Bird  
C14-82-080

## ZONING - Continued

- f. TRAMMELL CROW COMPANY 4140 Governor's Row From Interim "AA" 1st  
By David Boderman H&A to "GR" 1st H&A  
C14r-84-091 & "C-2" 2nd H&A

(6-0 Vote, Councilmember Spaeth abstained)

- g. MARY ANN & ROGELIO R. 308 Stassney Lane From "A" 1st H&A to  
REYES "O" 1st H&A  
By Paul DeLaRosa  
C14-84-130

(5-0 Vote, Mayor Mullen and Councilmember Rose abstained)

- h. KELLY McADAMS 7021 Burnet Road From "A" 1st & 6th  
By Bob Baker H&A to "B" 1st H&A  
C14-84-122 & 6th H&A

(5-0 Vote, Mayor Mullen and Councilmember Rose abstained)

- i. CARMEN VASQUEZ 2218-2210 College From "A" 1st H&A to  
By Zachary Vasquez Avenue "LR" 1st H&A  
C14-84-121

(5-0 Vote, Mayor Mullen and Councilmember Rose abstained)

- j. SIMMIE H. CORDELL, 5414-5418 Middle From "A" 1st H&A to  
ESTATE Fiskville Road "C" 1st H&A  
C14-84-118

(5-0 Vote, Mayor Mullen and Councilmember Rose abstained)

- k. CITY OF AUSTIN Old Anderson High From "A-H" 1st H&A  
OFFICE OF LAND 1607 Pennsylvania to "A" 1st H&A  
DEVELOPMENT SERVICES Avenue  
C14h-83-015

(5-0 Vote, Mayor Mullen and Councilmember Rose abstained)

- l. CITY OF AUSTIN Goodall-Wooten House From "O" 2nd H&A to  
OFFICE OF LAND 700 W. Martin Luther "O-H" 2nd H&A  
DEVELOPMENT SERVICES King Blvd.  
C14h-84-005

(5-0 Vote, Mayor Mullen and Councilmember Rose abstained)

- m. NATER INVESTMENTS 9442-9508 Research From Interim "A" & "GR"  
N.V., INC. Boulevard, 9309-9333 1st H&A to "O-1" 1st  
C14r-84-059 Jollyville Road & 2nd H&A

EMERGENCY PASSAGE OF ORDINANCE

(6-0 Vote, Councilmember Duncan abstained)

## ZONING - (Continued)

- n. MILWOOD JOINT 6104-6298 McNeil Road From Interim "AA" 1st H&A  
VENTURE II to "BB" 1st H&A  
By Ken Manning  
C14-84-022  
(Tract 3) EMERGENCY PASSAGE OF ORDINANCE

- O. TRAMMEL CROW COMPANY 11200-11400 Kramer From "GR" 1st H&A to  
By David Bodenman Lane "DL" & "AA" 1st H&A  
C14-83-191 EMERGENCY PASSAGE OF ORDINANCE

## CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, adopted the following resolutions in one consent motion:  
(7-0 Vote)

Release of Easements

Approved release of the following easements:

- a. Portions of the Sanitary Sewer Easement on Lot 7, Block F, Herman Brown Addition, No. 2, Section 5, 2709 Maria Anna Road. (Request submitted by Mrs. Harriet Alexander)
- b. 3.0' of the 5.0' Public Utility Easement along the rear lot line of Lot 12, Block B, Tonkawa Bluff Addition. (This request has been submitted by Mr. Robert A. Dennison III, on behalf of Mr. Dennis R., Worsham, owner)
- c. 2.5' of the 7.5' Public Utility Easement along the rear of Lot 6, Block C, the Enclave at Balcones Forest, 8158 Ceberry Drive. (Request submitted by Mr. Frank D. Graydon)

License Agreements

Entered into the following license agreements:

- a. To allow the encroachment of landscaping and a sprinkler system into the public right-of-way of Lamar Boulevard and 39th Street, 1017 West 39th Street. (Request submitted by Mr. Charles Sikes.)
- b. To allow the encroachment of a storm water detention system and access crossing across the 15' Public Utility Easement as dedicated in Volume 6000, Page 2235, of the Travis County Deed Records and dedicated on Lots 1 & 2, Westcreek Section 10, Phase H, 4700-4706 McCarty Lane. (Request submitted by Barry Campbell Engineering on behalf of N.P.C.)

Capital Improvements Program

Approved acquisition of right-of-way for the U.S. Highway 290 East Project (Cameron Road to U.S. Highway 183) which is part of the right-of-way purchase agreement with the State Department of Highways and Public Transportation. CAPITAL IMPROVEMENTS PROGRAM No. 78/62-45.

Contracts Approved

Approved the following contracts:

- |    |  |  |
|----|--|--|
| a. | Bid award:   | - CAPITAL IMPROVEMENTS PROGRAM -<br>Seaholm Transformer Replacement,<br>Electric Utility Department -<br>\$96,727.00 - C.I.P. No. 83/12-04                   |
|    | (1) R. D. ERB COMPANY<br>5511 San Pedro Avenue<br>San Antonio, Texas                                       | - Items 1-2 - \$85,985.00  |
|    | (2) TEMPLE, INC. (WBE)<br>3900-J Drosett<br>Austin, Texas  | - Item 3 - \$10,742.00   |
| b. | FEDERAL PACIFIC<br>C/O R. D. Erb Company<br>San Antonio, Texas   | - CAPITAL IMPROVEMENTS PROGRAM -<br>Autotransformer, Electric Utility<br>Department<br>Eight (8) Month Contract<br>Total \$598,850.00 C.I.P. No.<br>83/16-05 |
| c. | WESTINGHOUSE ELECTRIC SUPPLY CO.<br>9230 Research Boulevard<br>Austin, Texas                               | - CAPITAL IMPROVEMENTS PROGRAM -<br>Capacitor Banks, Electric Utility<br>Department<br>Items 1-2 - \$134,214.00  |
| d. | WESTINGHOUSE ELECTRIC CORP.<br>201 N. St. Mary's, Suite 152<br>San Antonio, Texas                          | - CAPITAL IMPROVEMENTS PROGRAM -<br>Substation Relays, Electric Utility<br>Department - Total \$36,502.00<br>C.I.P. No. 84/16-01                             |
| e. | ARGO INDUSTRIAL<br>1347 Lathrop Street<br>Houston, Texas   | - Rotary Screw Air Compressor,<br>Electric Utility Department<br>Total \$11,350.00 84-0261-AV  |
| f. | MCKESSON CHEMICAL COMPANY<br>Foremost-McKesson Chemical Group<br>4351 Director Drive<br>San Antonio, Texas | - Hydrazine Solution, Electric<br>Utility Department<br>Twelve (12) Month Period<br>Total \$16,200.00 84-0258-AV   |

## CONTRACTS - (Continued)

- g. THE CLEANING COMPANY (MBE)  
P. O. Box 26810  
Austin, Texas
- h. DATA RESOURCES, INC.  
Capital Bank Plaza, Suite 3350  
Houston, Texas
- i. BOUND TO STAY BOUND BOOKS, INC.  
West Martin Road  
Jacksonville, Illinois
- j. RADIO COMMUNICATIONS ENGINEERING  
620 Canon Street  
Austin, Texas
- k. KELLY SERVICE, INC.  
1701 Directors Blvd., Suite 350  
Austin, Texas
- l. THE CAMBRIDGE SYSTEMS GROUP  
24275 Elise  
Los Altos Hills, California
- m. GARRETT-ABNEY COMPANY  
Agent for Aetna Casualty & Surety  
Company  
621 West 7th Street  
Austin, Texas
- n. ARCHEOLOGICAL RESEARCH  
LABORATORY  
UNIVERSITY OF TEXAS  
Austin, Texas
- Janitorial Service for Kramer  
Lane Service Building, Electric  
Utility Department  
Twelve (12) Month Contract  
Total \$7,257.60 84-S298-LK
- Data Services and Subscription  
to Texas Economic Service,  
Electric Utility Department  
Twelve (12) Months Contract  
Total \$12,000.00 84-S344-EF
- Juvenile Books, Austin Public  
Libraries  
Twelve (12) Month Supply Agreement  
Item 1 - \$40,000.00 84-0269-GW
- RCA Captive Repair Parts, Vehicle  
and Equipment Services Department  
Twelve (12) Month Contract  
Estimated total \$8,135.00  
84-S261-LK
- Temporary Employment Services,  
Department of Public Event  
Facilities  
Twelve (12) Month Period  
Estimated cost of \$25,000.00  
84-S309-LK
- Access Control Software, Police  
Department  
Thirty-six (36) Month Payment Plan  
Total \$41,496.60 84-S306-LK
- City of Austin Fidelity Bonds,  
Personnel Department  
Thirty-six (36) Month Period  
Estimated total \$26,366.00  
84-S321-LI
- CAPITAL IMPROVEMENTS PROGRAM -  
Archeological Survey associated  
with the Onion Creek Interceptor-  
Section IV (Lower Tunnel),  
Public Works Department - Not to  
exceed \$46,954.00 -  
C.I.P. No. 73/23-11

Camp Mabry Wastewater Collector Line

Approved the selection of professional survey services for reconstruction and/or replacement of existing Camp Mabry Wastewater Collector line (in the Taylor Slough - North Drainage Basin)

Grant Application

Authorized submission of a grant application to the Urban Mass Transportation Administration (UMTA) for a Technical Studies Grant (TX-09-TECH-84) in the amount of \$70,000. (UMTA 80% \$56,000 and City 20% in-kind match \$14,000)

Public Hearings Set

Set public hearings on the following:

- a. Proposed Special Transit Services Policy Revisions:  
August 9, 1984 at 4:30 p.m.
- b. An appeal of Bernard T. McCutcheon from the assessment of lot cleaning cost, pursuant to Section 6-9-28 of the Austin City Code: August 9, 1984 at 4:00 p.m.

Legal Counsel

Authorized outside legal counsel for condemnation trial - City of Austin v. T.C. Steiner, et al.

## NUEVA VIDA

Council continued a discussion on approval of \$70,000 in available funds to complete Phase I of the Nueva Vida Low-Cost Housing Project. Discussion began on July 26, 1984.

City Manager Carrasco said he does not recommend allocation of funds because the project started out as private enterprise, lost money, and now they are requesting help from the City.

## ROLLBACK REQUESTED

Ms. Paua Tatsch appeared before Council to request rollback zoning of Great Hills V Subdivision from mixed Interim "A" and "B" to "AA" as in accord with existing restrictive covenant.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's



## ROLL BACK - (Continued)

second, voted to place Great Hills V on the Planning Department's roll back list, to be taken in order. (7-0 Vote)

## NO ACTION TAKEN

The Council took no action on the request of Ms. Annette H. Westbrook for exemption from Capital Recovery Fee on water meter. (This was continued from July 26, 1984.)

## WATER SYSTEM IN OAK HILL AREA

The Council, on Councilmember Shipman's motion, Councilmember Spaeth's second, approved the request of Mr. Tom Curtis for approval for substitution of Manager under October 3, 1983 "Agreement Regarding Construction of Improvements to City of Austin's Water System in the Oak Hill Area." (6-0 Vote, Mayor Pro Tem Trevino was out of the room.)

## CITIZEN DID NOT APPEAR

Mr. Terry Davis, who had requested to set a public hearing on whether single member districts and at-large should be placed on the ballot for election, did not appear.

## WILLIAMSON CREEK STATUS REPORT

Ms. Shiel Mathews, Water and Wastewater Department, reported that the water levels are so much below freeboard that it is hard to measure.

Mayor Mullen said weekly reports on the status of Williamson Creek can no be discontinued unless the freeboard is 36" from top.

Jerry Lawson reported on the water conservation plan. He said it has succeeded and he hopes the mandatory restrictions can be lifted as soon as possible. Mayor Mullen stated this would not be discussed further because the agenda does not include proper posting for the subject.

## WESTGATE BOULEVARD CONSTRUCTION

Shiela Mathews said there will be a meeting tonight (August 2) at Manchaca Library concerning Westgate Boulevard construction.

PUBLIC HEARING - TEXAS MUNICIPAL CENTER  
JOINT VENTURE

Mayor Pro Tem Trevino opened the public hearing set for 1:30 p.m. to consider an Industrial Development Bond financed project proposed by the Texas Municipal Center Joint Venture located at 500-502 East 11th Street for the purpose of Federal Tax Law.

Mayor Mullen announced he would abstain from this subject because he serves on the Municipal Center Board of Directors.

Ruby Goodwin, Travis County Democratic Women, appeared to state she does not like this kind of corporate welfare. Councilmember Shipman reminded her the Council has unanimously expressed their frustration at this type of project also.

Motion

The Council, on Councilmember Spaeth's motion, Councilmember Urdy's second, closed the public hearing. (6-0 Vote, Mayor Mullen abstained)

Motion

The Council on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving an Industrial Development Bond financed commercial project for the Texas Municipal Joint Venture, and making the findings required for the purposes of the Federal Tax Law. (6-0 Vote, Mayor Mullen abstained)

Motion

The Council, on Councilmember Duncan's motion, Councilmember Spaeth's second, adopted a resolution approving the Bond Resolution passed by the Austin Industrial Development Corporation authorizing issuance of Industrial Development Bonds to finance a project for Texas Municipal Center, Joint Venture, located at 500-502 East 11th Street. (6-0 Vote, Mayor Mullen abstained)

PUBLIC HEARING - PROTECTION OF CAPITOL VIEWS

Mayor Mullen opened the public hearing set for 2:00 p.m. on Protection of the Capitol Views.

Marie Gaines, Office of Land Development Services, outlined the corridors and glimpses of the Capitol view. She said there are nine of these corridors and glimpses.

Janet Felston presented a slide show of the nine views.

## HEARING - (Continued)

Lyn Hough said the ordinance is important. Blake Alexander, chairman, Historical Landmark Commission, endorsed the ordinance and recommends no changes. Allen Taniguchi, chairman, Downtown Revitalization Task Force, urged support of the ordinance. Agnes Freed, urged favorable consideration. Philip Creer urged passage to keep views. Monica Walden, Sierra Club, wants ordinance passed. Ada Simond, State Representative Terrall Smith, Lena Guerrero and Sid Sanders favor the ordinance. Cecily Sims, an attorney who worked on the revisions to the Zoning Ordinance, said the Capitol View Ordinance is well drafted and tight.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, closed the public hearing. (7-0 Vote)

Motion

Councilmember Shipman made a motion, seconded by Councilmember Rose to waive the requirement for three readings and finally pass the Capitol View Ordinance on emergency passage.

Friendly Amendment Denied

Councilmember Spaeth offered a friendly amendment that if an applicant can show that their project does not block the view, then they can appeal to Council. Councilmember Shipman did not accept the friendly amendment.

Councilmember Shipman stated the ordinance as proposed allows appeal to the Board of Adjustment for variance.

Paul Isham, City Attorney, stated the staff has reviewed and if the applicant does not agree he can go to the Board of Adjustment. But will not come to Council. Councilmembers Duncan, Rose, Urdy and Mayor Mullen all supported this ruling. Mayor Mullen stated a market study and legal study has been done and "we know we can defend our position in court".

Roll Call on Motion

7-0 Vote

## RECESS

Council recessed its meeting at 3:45 p.m. and resumed its recessed meeting at 4:00 p.m.

CAPITAL IMPROVEMENTS  
BOND ELECTION

Council had before them two ordinances, one to approve the 1984-90 Capital Improvements Program, and one to set the ballot for September 8, 1984 bond election.

Motion

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, approved the language in Propositions 1-28 with the following changes: (7-0 Vote) (Changes from proposal are underlined)

Proposition 3: Issuance of \$14,470,000 utility system revenue supported bonds for construction of water lines and a pump station to improve and expand water service in the north central and northwest service areas.

Proposition 25: add "and the Old Bakery on Congress" Avenue"

Proposition 28: The issuance of \$560,000 tax supported General Obligation Bonds for construction of joint use emergency medical services/fire facilities.

Motion Amended

Councilmember Rose made a motion, seconded by Councilmember Duncan to change the Capital Improvements Proposal to include improvements to Spicewood Springs Road to four lanes in the first year Capital Improvements Program. ALSO change the figure in Proposition 15, (Refuse Fueled Generation Plant) to \$80,000,000. ALSO include improvements to Northland, 360 and RM 2222 in the 3rd year CIP. (This included in vote on motion)

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The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance setting the ballot for the September 8, 1984 Bond Election. (7-0 Vote)

LATER IN THE DAY:

Motion to Reconsider

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, voted to reconsider the motion. (7-0 Vote)

Motion

In addition to changes approved previously, the Council, on Councilmember Rose's motion, Councilmember Duncan's second, approved

## CIP &amp; BOND - (Continued)

changing the wording in Proposition 27 to seven new fire stations rather than eight.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance calling a bond election for September 8, 1984, making provisions for the conduct of the election and other matters incident and related to such election. (7-0 Vote)

## PUBLIC HEARING - EASEMENT THROUGH DICK NICHOLS PARK

Mayor Mullen opened the public hearing set for 2:30 p.m. on dedication of a Public Utility Easement through a portion of Dick Nichols Park.

No one appeared to speak.

Mayor Pro Tem Trevino asked Mr. Richard Ridings, Director of Public Works, "Is there no feasible and prudent alternative to a public utility easement through a portion of Dick Nichols Park?" Mr. Ridings answered "No". Mayor Pro Tem Trevino asked, "In your opinion has all reasonable planning been undertaken to minimize any harm to the park as a result of this use?" Mr. Ridings answered that planning had taken place.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance dedicating a public utility easement through a portion of Dick Nichols Park on an EMERGENCY BASIS. (7-0 Vote)

## EXECUTIVE SESSION

Mayor Mullen announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss real estate negotiations, Section 2, Paragraph f, concerning Zilker Park property and its possible condemnation.

## RECESS

Council recessed its meeting at 4:20 p.m. and resumed its recessed meeting at 5:15 p.m.

**ZILKER PARK PROPERTY**

At the close of the Executive Session, Mayor Mullen announced Council had discussed the the acquisition of 2.6 acres of land adjacent to Zilker Park for \$1,600,000.

Mr. Duncan, representing Transwestern, discussed their modified plan for an office building adjacent to Zilker Park.

**Motion**

Councilmember Duncan said he supports putting \$1,600,000 on the bond ballot for purchase of a tract of land adjacent to Zilker Park totalling 2.6 acres.

Bill Lemon appeared before Council and told them to exhaust all legal channels concerning Zilker Park land aquisition before throwing in the towel on Zilker Park.

Mr. Duncan, Transwestern, said they will take every precaution they can to protect Zilker Park and Barton Springs enviromentally.

Bert Kromack, president, Save Barton Creek Association, discussed the site plan and changes made.

**Motion to Reconsider**

The Council, on Mayor Pro Tem Trevino's motion and Councilmember Rose's second, voted to reconsider approval of the 1984-90 Capital Improvements Program and setting the ballot for the September 8, 1984 Bond Election to state Proposition 22 as follows and pass the ordinances: (7-0 Vote)

"The issuance of \$1,600,000 tax supported general obligation bonds for acquisition of approximately 2.6 acres of land adjacent to Zilker Park."

**ZONING CASE POSTPONED**

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, voted to postpone the following zoning case 30 days, with a friendly amendment by Councilmember Shipman for the City, State and County to meet and seek a site: (7-0 Vote)

C14-84    OLTORF-BEN WHITE  
074      JOINT VENTURE  
         By U.R.S. Engineers

Proposed Oltorf  
Street & Ben White  
Boulevard

From Interim "AA" 1st H&A  
To "C" & "DL" 2nd H&A

RECOMMEND subject to letters

of credit for 1/3 of the cost for a traffic signal at Bryant Blvd./E. Ben White; total cost of 475' of left-turn lane storage; and total cost of a free right-turn lane for westbound E. Ben White and northbound Bryant Blvd.; all as agreed to by applicant. POSTPONE TO 9/6/84

## PUBLIC HEARING - TAXI FRANCHISE

Mayor Mullen opened the public hearing set for 3:00 p.m. on Taxicab Franchise Applications/Renewals permits and Applications for Additional Taxicab Permits.

Allen Brecher, Director, Urban Transportation, reviewed the proposals.

Carlos Velasquez, Roy's Taxi Service and Terral Smith, representing Yellow and Harlem, both discussed their cab companies.

Sabatino Sconci, manager of Airlines Taxi, talked about the many years he has been in business. Ron Means, Austin Cab Co., told Council they should be sensitive to others needs for franchises. Linda Clark, Capitol Cab Company, asked for franchises.

Mr. Allan Brecher, Director of Urban Transportation, told Council that Mr. Turner was in the hospital in intensive care.

John Ramsey, manager of Yellow Cab of Austin discussed their merits. Leo Castillo Jr. talked about the good service given by Roy's Cab. A dispatcher said Harlem and Roy's need more cabs. Oden Smith, owner/operator, said more competition is needed. Ken Manning, representing a group of owner/operators, said there should be 10 permits for each franchise. Stacy Suits said the franchisees do not need additional permits. Ray Gallagher spoke in favor of a franchise for Roy's Taxi.

After a lengthy discussion, the following motions were made:

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (7-0 Vote)

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, voted to set aside 40% for ownership in 6 months. (7-0 Vote)

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, passed through FIRST READING ONLY an ordinance concerning Taxi-cab Franchise as follows: (7-0 Vote)

Airline, 1; Roy's, 80; Yellow, 98; Capitol, 75

TAXI - (Continued)

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, voted to reconsider the franchise ordinance and vote on each cab company individually. (7-0 Vote)

Motion

The Council, on Councilmember Urdy's motion, Mayor Mullen's second, approved one permit for Airline Cab Company. (7-0 Vote)

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's motion, approved 80 permits for Roy's Taxi. (7-0 Vote)

Motion

The Council, on Councilmember Urdy's motion, Mayor Mullen's second, approved 98 permits for Yellow Cab Company. (7-0 Vote)

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevin's second, approved 75 permits for Capitol Cab Co. (7-0 Vote)

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, voted to continue Mr. Turner's hearing at a later date. (7-0 Vote)

REQUEST FOR EXEMPTION DENIED

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, denied Mr. Terry Bray's request for exemption from site plan requirement in Fairview Park property because the site plan should be on tract. (7-0 Vote)

ZONING HEARINGS

Mayor Mullen announced Council would hear zoning cases scheduled for 4:00 p.m. Council heard, closed the public hearings, granted and instructed the City Attorney to draw the necessary ordinances as follows:



## ZONING - (Continued)

C14-84 147	CITY OF AUSTIN OFFICE OF LAND DEVELOPMENT SERVICES	8710 MoPac Boulevard	From "GR" 2nd H&A To "O-1" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14-82 -002 .01 (84)	LAS MADERAS PUD By Peter A. Dwyer	6204 Dove Creek Drive	From Interim "A" 1st H&A To PUD - Twenty-eight unit residential develop- ment with private streets and common area lots. RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 r-84 117	GEORGE K. NICOLOPOULOS By The Robert Butler Company	2513-31 E. Ben White Boulevard	From Interim "AA" 1st H&A To "C" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 r-84 050	CALLAWAY/COLEMAN JOINT VENTURE By James H. Coleman	4500 & 4544 S. Lamar Boulevard	From "AA" 1st H&A To "O" 2nd H&A & "GR" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
	6-0 VOTE, COUNCILMEMBER SHIPMAN VOTED NO		
C14 -84 133	RAYMOND M. WILLIAMS By Mary Krause & Ruby Meredith	3605 Manchaca Road & 3600 Fleetwood Drive	From "A" 1st H&A To "A", "BB" & "O-1" 1st H&A RECOMMENDED (as amended) <u>GRANTED AS RECOMMENDED</u>
C14 -84 145	CITY OF AUSTIN OFFICE OF LAND DEVELOPMENT SERVICES	1801-2111 Richcreek Road 1800-2206 Pasadena 1800-1919 Madison Avenue 1800-1919 Piedmont Avenue 1800-1918 St. Johns Avenue 1800-1916 Cullen Avenue 7000-7408 Yates Avenue 7102-7208 Hardy Drive 2000-2019 Hardy Circle	From Interim "A" 1st H&A To "A" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Rose's second,  
7-0 Vote)

## ZONING - (Continued)

C14 -84 FRANCISCO LIMON 904 Vargas  
148

6-0 Vote, Mayor Pro Tem  
Trevino abstained because  
the applicant is a relative.

From "A" 1st H&A  
To "C" 1st H&A  
RECOMMENDED "C" 1st H&A  
tied to bakery use  
GRANT AS RECOMMENDED

C14 -84 RICHARD G. HARDIN 700 West 22nd Street  
149

From "B" 2nd H&A  
To "O" 2nd H&A  
RECOMMENDED subject to  
to rollback to "B"  
2nd H&A once office  
use ceases or building  
is demolished.  
GRANT AS RECOMMENDED

C14 -84 MARIO & MARY 9510 Brown Lane  
150 AGUILAR  
By Morton Plotsky

From Interim "AA" 1st H&A  
To "DL" 1st H&A  
RECOMMENDED "DL" with  
dedication of up to 40  
feet of right-of-way from  
center line on Brown Lane.

C14 -84 DEWEY T. SHANNON 4303 James Casey  
151 By K.M. Kavoussi,  
M.D.

GRANT AS RECOMMENDED  
From "A" 1st H&A  
To "O-1" 1st H&A  
RECOMMENDED subject to  
30' of right-of-way  
from centerline of James  
Casey Street.

GRANT AS RECOMMENDED

C14 -84 JAMES MICHAEL 4020, 4022, 4100  
160 CRANE, ET AL Manchaca Road  
By Lloyd C.  
Williams, Jr.

From "A" 1st H&A  
To "O-1" 1st H&A  
RECOMMENDED subject to  
retaining structures  
and dedication of 45'  
of right-of-way from  
the centerline of  
Manchaca.

GRANT AS RECOMMENDED  
From Interim "A" 1st H&A  
To "B" 1st H&A  
RECOMMENDED subject to  
appropriate termination  
of Mariposa Drive with  
every effort made to  
retain trees.

GRANT AS RECOMMENDED

C14 -84 LUCY COLVIN 1930-1942 Mariposa  
161 By Tom Curtis

## ZONING - (Continued)

C14 -84 NASH PHILLIPS/  
162 COPUS, INC.  
By Herbert P.  
Golding

4555-4805 McCarty  
Lane

From "A", "LR" 1st H&A  
To "O-1" & "C" 1st H&A  
RECOMMENDED (as amended)  
noting that "C" zoning  
will be tied to tennis  
court and health club  
facility, staff is to  
initiate a rollback to  
"A" 1st for the office  
zoned access point on  
One Oak Road, subject to  
60' from centerline  
on McCarty.

GRANTED AS RECOMMENDED

C14 -84 G.R. OWENS, JR.  
134 By Mary Krause &  
Ruby Meredith

7901-7915 Cooper Lane

From "AA" 1st H&A  
To "O-1" 1st H&A  
RECOMMENDED (as amended)  
subject to 40' of right-  
of-way from centerline  
of Cooper Lane.

GRANTED AS RECOMMENDED

C14 -84 GUSSIE H. HEBEL  
140 By Michael L.  
Dewvall

807 North Bluff  
Drive

From Interim "A" 1st H&A  
To "EB" 1st H&A  
RECOMMENDED (as amended)  
subject to 30' of right-  
of-way from centerline of  
North Bluff Dr. determina-  
tion of driveway locations  
will be made at time of  
site plan approval.

GRANTED AS RECOMMENDED

C14r-84 MILTON TURNER  
166 By Robert Turner

115 Wild Basin Road,  
South

From Interim "AA" 1st H&A  
To "O" 1st H&A  
RECOMMENDED subject to  
up to 35' of right-of-way  
from centerline of Wild  
Basin.

GRANTED AS RECOMMENDED

(On Councilmember Duncan's motion, Councilmember Urdy's second,  
7-0 Vote)

## CONTRACT APPROVAL POSTPONED

Mayor Mullen announced Council would consider the approval of the following contract on August 9, 1984:

HUMAN AFFAIRS, INC.  
800 E. 30th Street, Ste. 203  
Austin, Texas

Employee Assistance Program  
Personnel Department  
Twelve (12) Month Service  
Agreement  
Total - \$267,300.00 84-S181-LI

## OVERTON v. CITY OF AUSTIN

Council had before them a resolution to consider authorizing the City Attorney to execute Joint Motion and approving Interim Order in Overton v. City of Austin lawsuit.

Prior to the vote, Terry Davis, Black Citizen Task Force, appeared before Council to tell them they will file against the City to not do this without a vote of the people on a Charter amendment. He said the denial of intervention will be taken to a higher court.

Mayor Mullen asked, "Where are we in drawing lines of maps?" City Attorney Isham said he has been led to believe the districts have not been drawn.

Councilmember Spaeth said he would like to have a mixed plan with some Councilmembers at large and some single member..Lengthy discussion followed.

Motion

Councilmember Duncan made a motion, seconded by Councilmember Urdy to instruct the City Attorney to negotiate an agreed settlement along the lines recommended by the Plaintiff and reserve the right, as it is written in the agreement, to draw our own map and submit it for negotiation and instruct the City Attorney to sign an agreed judgement.

At this point, Mayor Mullen asked Mayor Pro Tem Trevino to take the chair so that he could make a motion.

Substitute Motion

Mayor Mullen made a motion, seconded by Councilmember Rose to pass an amendment allowing the Council to participate in the drawing of the lines of the minority districts and when those are agreed upon MALDEF and NAACP will no longer negotiate on further lines.

OVERTON - (Continued)

Roll Call on Substitute Motion - FAILED

2-4-1 Vote

Yes: Mayor Mullen & Councilmember Rose

No: Mayor Pro Tem Trevino, Councilmembers Duncan,  
Shipman and Urdy.

Abstain: Councilmember Spaeth

Roll Call on Motion

6-1 Vote, Councilmember Spaeth No

**PUBLIC HEARING - INNER-CITY NEIGHBORHOOD DEVELOPMENT  
ORDINANCE**

Mayor Mullen opened the public hearing set for 5:00 p.m. on Amendment to Ordinance No. 840209-K, the Inner-City Neighborhood Development Ordinance to include the Original City Neighborhood Association Area.

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 840209-K, the Inner-City Neighborhood Development Ordinance to include the Original City Neighborhood Association area. (7-0 Vote)

**ZONING HEARINGS**

Mayor Mullen announce Council would continue with zoning application hearings which had begun earlier in the evening. Council heard, closed the public hearings, approved and directed the City Attorney to draw the necessary ordinances for the following cases:

C14 -84 DONALD H. AND  
085 NANCY J. NAEVE  
By Nancy J. Naeve

4000-4004 Manchaca

From "A" 1st H&A  
To "O-1" 1st H&A  
RECOMMENDED subject to  
retaining structures and  
dedication of 45' of  
right-of-way from  
centerline of Manchaca.  
GRANTED AS RECOMMENDED

## ZONING - (Continued)

Marie Gaines, Land Development Department, reviewed the case.

Don Naeve said he plans to turn the site into a dental office. Councilmember Shipman said there should be no entrance on Prather Lane. Dr. Naeve said he would like the Prather Lane entrance for staff use only.

Doris Fuller and Jeanette Steadman, who are heirs to the property, said they see no problem with traffic on Prather Lane and the addition of a dental office will not create a great traffic flow. Nancy Naeve pointed out that the driveway on Prather has been there for 35 years.

(On Councilmember Duncan's motion, Councilmember Urdy's second,  
5-0 Vote, Mayor Pro Tem Trevino and Councilmember Spaeth  
out of the room.)

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C14 r-84 E.H. HURST  
136 By T.J. Morton

2614 Walsh Tarlton

From Interim "AA" 1st H&A  
To "LR" & "O" 2nd H&A  
"O-1" 1st H&A

RECOMMENDED subject to  
site plan, waive Loop 360  
prohibition against "LR"  
zoning, letter of credit  
to be determined by Public  
Works, noting that the  
applicant will agree to  
participate on a pro-rata  
share for a future inter-  
change at Loop 360 and  
Walsh Tarlton.

and that buildings  
next to the residential  
area shall be limited  
to 45'.

GRANTED AS RECOMMENDED

This case discussed with the following case:

## ZONING - (Continued)

C14 r-84 E.H. HURST  
137 By T.J. Morton

2300-2524 Walsh  
Tarlton Lane

From Interim "AA" 1st H&A  
To "GR", "O-1" & "LR"  
1st & 2nd H&A  
RECOMMENDED "O-1" 1st  
and 2nd H&A, "LR" 1st H&A  
"GR" 2nd H&A subject to  
rollback of "LR" zoning  
on 24,000 sq. ft. building  
to "O-1" once the bank  
relocates, letter of  
credit to be determined  
by Public Works, noting  
that the applicant will  
agree to participate on  
a pro-rata share for a  
future interchange at Loop  
360 and Walsh Tarlton  
site.

GRANTED AS RECOMMENDED

Bill Bender appeared before Council to state the neighborhood association opposes this development right across the street.

Jack Norton, said they had a crane at the site to see how high the building would be, and they do not feel there will be a negative effect on the skyline.

Mark Sylvester discussed traffic and driveways.

Jack Rogers spoke against the proposed development.

(On Councilmember Shipman's motion, Councilmember Duncan's second,  
6-0 Vote, Councilmember Spaeth absent)

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Cases Denied or Postponed

Council heard the following cases and either denied or postponed as is noted:

C14-84 FRANK SIFUENTEZ  
173 By Harold Rhodes

907 Montopolis Drive

From "A", "B", & "GR"  
1st H&A

To "O" & "C-2" 1st H&A  
RECOMMENDED (as amended)  
"O-1" & "C-2" 1st H&A tied  
to approval of special  
permit, subject to 35' of  
right-of-way from the  
centerline of Montopolis.

DENIED

## ZONING - (Continued)

Marie Gaines reviewed the application.

Harold Rhodes, who owns the bar, said he will have a fence and trash cans.

Enrique Lopez, chairman of Montopolis Neighborhood Association, said they are concerned re littering and loitering and none of the residents are in favor of a night club. They do not want it in the middle of a residential neighborhood.

Jesse Ybarra, who lives across the street from the bar, does not think there should be one in a residential neighborhood.

Mrs. Lupe Moncrivez, Roland Artiz, Felix Rosales Jr. all spoke against a bar in their neighborhood.

(DENIED, on Councilmember Urdy's motion, Councilmember Duncan's second, 7-0 Vote)

C14-83 F.H. BECKER, JR/  
330 JOE F. GRAY  
By Barry L. Woltag

9611 Beck Circle

From "B" 1st H&A  
To "D" 1st H&A  
RECOMMENDED subject to site plan and buildings being tilt-up aggregate, with tilt-up wall fence between buildings adjacent to Bill Scudder's apartments, noise level of 70 decibels and one foot candle lighting.

POSTPONED TO AUGUST 9, 1984

(Cannot pass because site plan has not been released)

No vote taken.

APPEAL ON SPECIAL PERMIT

Mayor Mullen opened the public hearing set for 5:30 p.m. on an appeal from Ms. Betty Walker, representing Texas ACORN, of the Planning Commission's decision to grant a Special Permit on Case No. C14p-83-110. Appeal was denied so no action was taken

ADJOURNMENT

Council adjourned its meeting at 12:15 A.M., August 3, 1984.